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APR 21 2006
IAP3
PATENT & TRADEMARK OFFICE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appl. No.	:	10/777,159	Confirmation No. N/A
Applicant	:	BAYCHAR	
Filed	:	February 13, 2004	
Title	:	WATERPROOF/BREATHABLE TECHNICAL APPAREL	
TC/AU	:	TBD	
Examiner	:	TBD	
Docket No.	:	BAY-310-02	
Customer No.:		24956	

Commissioner for Patents
Mail Stop DD
P.O. Box 1450
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT (IDS)
UNDER § 1.97 AND § 1.98

Sir:

In accordance with the duty of disclosure, Applicant informs the Examiner of the documents cited during prosecution of related applications.

1. This IDS should be considered:

(a) when filed within three months of the filing daté of the present application, or within three months of the filing date of the National Stage as set forth in § 1.491 in an international application, or before the mailing date of a first Office Action on the merits, whichever occurs last;

(b) when filed before the mailing date of either a Final Rejection under § 1.113 or a Notice of Allowance under § 1.311, whichever occurs first and when 1(a) does not apply. For this purpose, there is included herein either a certification in section 4 below (included when indicated by a marked box), or a fee of $180.00 (a Credit Card Payment Form in the amount of $180.00 is enclosed, or if not see section 5 below);

(c) when filed prior to the payment of the Issue Fee, when 1(a)-(b) do not apply, and when a certification is included in section 4 below (included when

indicated by a marked box); then the Applicant(s) hereby petition(s) and request(s) consideration of this IDS, and provided herewith is a fee of $180.00 (a Credit Card Payment Form in the amount of $180.00 to cover the petition fee, or if not see section 5 below).

2. When 1(a)-(c) do not apply, then it is requested that this IDS be placed in the file.

3. Listing of the information submitted is on the attached Form PTO-1449, which forms a part of this IDS. A copy of each listed document is enclosed when needed.

4. The undersigned hereby states:

☐☒ that each item of information contained in this IDS was either first cited in any communication from a foreign patent office in a counterpart foreign application, as indicated on the copy of the communication submitted herewith, which communication was dated not more than three months prior to the filing of this IDS; or to the knowledge of the undersigned after making reasonable inquiry, was known to any individual designated in § 1.56(c) not more than three months prior to the filing of this IDS.

5. If a fee or additional fee is required, the Commissioner is hereby authorized to charge any fee or additional fee that may be required and credit any excess to Deposit Account No. 50-1417.

6. If the PTO determines that part(s) of the required content is inadvertently omitted, then it is requested that the Applicant(s) be given additional time and specific identification of such omission(s) to enable full compliance.

Respectfully submitted,

MATTINGLY, STANGER, MALUR & BRUNDIDGE, P.C.

By _____
Shrimath Malur
Reg. No. 34,663
(703) 684-1120

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FORM PTO-1449 (REV. 7-80)	U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE	ATTY. DOCKET NO. BAY-310-02	SERIAL NO. 10/757,454
		APPLICANT BAYCHAR	
		FILING DATE January 15, 2004	GROUP

LIST OF DOCUMENTS CITED BY APPLICANT
(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

* EXAMINER INITIAL		DOCUMENT	DATE	NAME	CLASS	SUBCLASS	FILING DATE (If Appropriate)
	AA	5,400,526	03/1995	Sessa, Raymond V.			
	AB	5,364,678	11/15/94	Lumb et al			
	AC	6,048,810	04/11/00	Baychar			
	AD	6,893,695	05/17/05	Baychar			
	AE	5,499,459	03/1996	Tomaro			
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						

FOREIGN PATENT DOCUMENTS

		DOCUMENT	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION YES	TRANSLATION NO
	AL	0899090	03/03/99	EP (which corresponds to U.S. 5,364,678)			☐	☐
	AM						☐	☐
	AN						☐	☐
	AO						☐	☐
	AP						☐	☐

OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, etc.)*

	AR		
	AS		
	AT		

EXAMINER	DATE CONSIDERED

* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.